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JOHN ASHCROFT
Governor

G. TRACY MEHAN III
Director



STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

P.O. Box 176
Jefferson City, MO 65102

Division of Energy
Division of Environmental Quality
Division of Geology and Land Survey
Division of Management Services
Division of Parks, Recreation,
and Historic Preservation

March 16, 1989

Mr. Robert L. Morby
RCRA Branch Chief
U.S. Environmental Protection Agency
726 Minnesota Avenue
Kansas City, KS 66101

Dear Mr. Morby:

Attached is a request from McDonnell Douglas Aircraft Company in St. Louis for an interpretation of federal regulations as it relates to a proposed management method for off-specification jet fuel. Initially, we had advised Mr. Haake of McDonnell Douglas to seek a regulatory interpretation from the EPA headquarters in Washington (see enclosed letter).

In light of recent conversations between our offices and due to the implications of this issue, we are requesting that Region VII provide assistance in making a determination or providing guidance in this matter.

Your assistance is much appreciated.

Sincerely,

DIVISION OF ENVIRONMENTAL QUALITY

A handwritten signature in cursive script, reading "Nicholas A. Di Pasquale".

Nicholas A. Di Pasquale
Director, Waste Management Program

BM/bm

Enclosure

cc: Mr. Joe Haake, McDonnell Douglas

RECEIVED

MAR 20 1989

USEPA, RCRA Branch



R00144299
RCRA RECORDS CENTER

MCDONNELL DOUGLAS

McDonnell Aircraft Company

2/3 Hazardous Waste

12 January 1989

Mr. Kenneth Joe Davis, Chief
Data Management Unit
Waste Management Program
Department of Natural Resources
P.O. Box 176
Jefferson City, Missouri 65102

Dear Mr. Davis:

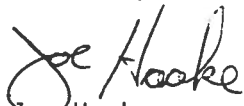
Waste jet fuel is generated at McDonnell Aircraft Company-St. Louis from aircraft fueling and defueling operations. Military specifications for purity of fuel are very stringent, so that minor contamination can cause the material to be scrapped.

Currently, the jet fuel is managed as a hazardous waste and sold to a hazardous waste fuels blender. We are planning to sell the jet fuel as a raw material feedstock to a refining company. The refining company will introduce the jet fuel into a crude oil pipe line. When the crude oil and jet fuel mixture enters the refinery, it will be processed into on-specification jet fuel.

Since the jet fuel will be recycled by being used as an ingredient in an industrial process to make jet fuel, without being reclaimed, it will not be a solid waste in accordance with 40 CFR 261.2. Therefore, we will no longer manage the material as hazardous waste.

Please advise if our interpretation of the regulations and proposed management of the jet fuel is incorrect.

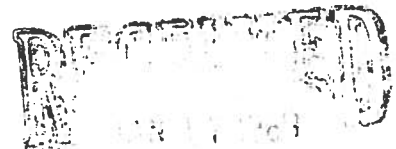
Sincerely,



Joe Haake
Hazardous Waste Coordinator
Environmental Compliance
Dept. 441C, Bldg. 80, Mail Code 0801800
314-895-5240

JH:dsq

EC: St. Louis Regional Office



ST. LOUIS REGIONAL OFFICE
JAN 17 1989

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and Historic Preservation

February 27, 1989

Mr. Joe Haake
Hazardous Waste Coordinator
McDonnell Douglas
Environmental Compliance
Dept. 441C, Bldg. 80 Mail Code 0801800
P.O. Box 516
St. Louis, MO 63166-0516

Dear Mr. Haake:

The department acknowledges your inquiry of January 12, 1989 requesting the regulatory status of waste jet fuel when introduced directly into a crude oil pipeline.

In this instance, it is recommended that you obtain a regulatory interpretation directly from the U.S. Environmental Protection Agency by writing to the following address:

U.S. Environmental Protection Agency
Waste Characterization Branch
Review Section
OS-300
401 M St. SW
Washington, D.C. 20460

If we can be of further assistance in this matter you are welcome to contact this office at (314) 751-3176.

Sincerely,

DIVISION OF ENVIRONMENTAL QUALITY

A handwritten signature in cursive script, reading "Kenneth J. Davis".

Kenneth J. Davis
Chief, Data Management Unit

KJD/BM/bm

cc: Hazardous Waste Unit, SLRO